

PORT ST. JOE, FLORIDA

OCTOBER 23, 2007

REGULAR MEETING

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman Bill Williams, Vice Chairman Jerry W. Barnes, and Commissioner Carmen L. McLemore, Billy E. Traylor and Nathan Peters, Jr.

Others present were: County Attorney Timothy McFarland, Clerk Becky Norris, Clerk Executive Administrator Towan Kopinsky, Clerk Finance Officer Carla Hand, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Building Official Lee Collinsworth, Grant Writer Loretta Costin, Planner David Richardson, Assistant Planner Sarah White, Road Department Superintendent Bobby Knee, Assistant Road Department Superintendent Chris Wood, Solid Waste Director Joe Danford, Sheriff Joe Nugent, and Sheriff's Office Major Bobby Plair.

Sheriff Nugent called the meeting to order at 6:00 p.m., E.T.

Vice Chairman Barnes opened the meeting with prayer, and Chairman Williams led the Pledge of Allegiance to the Flag.

CONSENT AGENDA

Upon motion by Commissioner Traylor, second by Commissioner Peters and unanimous vote, the Board approved the following Consent Agenda items, after addition of a letter from District 4 regarding an appointment to the Port St. Joe Recreational Complex Committee.

1. Minutes - October 9, 2007 - Regular Meeting
- **ADDED**** 2. BCC Correspondence/Appointment - District IV to Kenneth Parker
(Appointment to Gulf County-Port St. Joe Recreational
Complex Committee)
3. Bid Award #0607-43 / Sales of Miscellaneous Emergency Management
Vehicles (Item A - Steve Shiver - \$10.00 / Item B -
Boy Scouts Troop 47 - \$505.00 / Item C - Steve Shiver -
\$20.00 / Item D - Steve Shiver - \$101.99 / Item E - Steve
Shiver - \$10.00)
4. Budget Amendment - Supervisor of Elections (\$420.54 Grant Funds)
5. Engineering Proposal - C. R. 22A S.C.O.P. Grant Project (Preble-Rish, Inc. *

\$171,648.00)

6. Invoice - Bay Medical Center - H.C.R.A. (#0713600672 * \$2,291.98 * to be paid from Account #51462-31500)
 - Cathey Construction & Development - Courthouse Roof (Bid #0607-07 * #10 * \$58,821.65 * to be paid from Account #26219-62100)
 - Cathey Construction & Development - Honeyville Storm Shelter (Bid #0607-13 * #6 * \$121,874.79 * to be paid from Account #31325-62000)
 - M.R.D. Associates - St. Joseph Peninsula Permit Processing (#954 * \$6,600.60 * to be paid from Account #43137-31000)
 - Windolf Construction - Gulf County Welcome Center (Bid #0607-16 * #1 * \$105,206.37 (\$52,603.19 - 2006-07 / \$52,603.18 - 2007-08 * to be paid from Account #27452-81001)
7. S.H.I.P. - Rehabilitation Assistance (\$5,500.00 - Alma Thomas)

(End of Consent Agenda)

“GULF COUNTY MOMENT” / CITY OF PORT ST. JOE ANNEXATION AGREEMENT

Chairman Williams discussed ongoing issues with the City of Port St. Joe in relation to the Windmark Annexation Agreement, stating that he believes that all of the conflicts have been addressed. He requested that the Board consider dismissing their lawsuit against the County. City of Port St. Joe Mayor Mel Magidson appeared before the Board to discuss meetings held with the Chairman to resolve the differences between the City and the County (Highland View Sewer System, etc.). He stated that he would also like to request the check for \$457,173.00 from the Board on the sewer project (grant funds received from the State for this project). Upon motion by Commissioner Peters, second by Commissioner Barnes, and unanimous vote, the Board agreed to dismiss their lawsuit against the City of Port St. Joe and to present the check to Mayor Magidson.

PUBLIC HEARING /ORDINANCE - CAPITAL IMPROVEMENTS SCHEDULE

Pursuant to advertisement to hold a public hearing to consider adoption of an ordinance approving the Comprehensive Plan Five-Year Capital Improvements Schedule, County Attorney McFarland read the public hearing notice by title. Planner Richardson presented and discussed the Capital Improvements Schedule, stating that the one outstanding issue to be considered is the Five Points Landfill Closure Escrow amount. Upon inquiry, Solid Waste Director Danford stated that a minimum of \$233,000.00 per year is needed. There being no public comment, Commissioner Traylor motioned to adopt the following ordinance approving the proposed Five Year Capital Improvements Schedule, after

amending the Five Points Landfill Closure Escrow amount to \$233,000.00 per year. Commissioner Barnes seconded the motion, and it passed unanimously.

ORDINANCE NO. 2007-14

AN ORDINANCE AMENDING THE GULF COUNTY FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE, PROVIDING FOR REPEAL OF ORDINANCE IN CONFLICT THEREWITH, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA.

WHEREAS, Florida Statute 163.3177(3)(a) requires each Comprehensive Plan to have a Capital Improvements Element, and

WHEREAS, Florida Statute 163.3177(3)(a)1 requires the Capital Improvements Element to implement a five (5) year capital improvements planning period, and

WHEREAS, the Gulf County Comprehensive Plan Capital Improvements Element has identified the five year capital improvements planning period as the Gulf County Capital Improvements Schedule, and

WHEREAS, the Gulf County Capital Improvements Schedule yearly planning period will be same dates as the Gulf County Annual Budget, and

WHEREAS, Florida Statute 163.3177(3)(b) requires this element and planning period to be reviewed annually and amended by ordinance as necessary, and

WHEREAS, the Gulf County Board of County Commissioners amends the Capital Improvements Schedule to reflect a five year planning period of 2007/2008 through 2011/2012.

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA AS FOLLOWS IN EXHIBIT A:

If any part of this Ordinance is held to be unconstitutionally void or invalid, the validity of the remaining part of the Ordinance shall not be affected thereby.

Any other Ordinance or portion of any Ordinance in force at the time this Ordinance becomes effective, which may be in conflict with the provisions of this Ordinance, shall be deemed to have been replaced and repealed to the extent of such conflict, otherwise, the same shall remain in full force and effect.

This Ordinance shall become effective as provided by law.

ADOPTED this 23rd day of October, 2007.

(End of Ordinance / Exhibit A on file with Clerk)

PUBLIC HEARING /ORDINANCE - EVALUATION & APPRAISAL REPORT (E.A.R.)

Pursuant to advertisement to hold a public hearing to consider adoption of an ordinance approving the Comprehensive Plan Evaluation & Appraisal Report (E.A.R.), County Attorney McFarland read the public hearing notice by title. Planner Richardson presented and discussed the proposed Evaluation and Appraisal Report to be adopted by the Board. He stated that the Board is actually adopting Section II (Section III are proposed amendments and recommendations that will be adopted at a later date). Commissioner Traylor thanked Planner Richardson for his hard work in preparing this report. Upon call for public comment, the following individuals appeared before the Board.

Patricia Hardman - inquired if this report includes the wetlands setback issues.

County Attorney McFarland reported that the wetlands issue has already been settled, with the County's setbacks being set at 30-foot and 50-foot. Upon further inquiry by Ms. Hardman, he reported that the City of Port St. Joe has 25-foot setbacks. She requested that the Board get this wetlands setback information out to all property owners. County Attorney McFarland also discussed a lawsuit with Fred Johnson, whereby Mr. Johnson is litigating to have tougher setbacks imposed. Ms. Hardman also requested that the Board not allow the density on Cape San Blas to change.

Elinor Cunningham - inquired about the Commercial and Industrial Land Use change in Policy 1.3.7.

Planner Richardson stated that this will allow Agricultural Land Use to allow controlled commercial and industrial development. Upon further inquiry, he stated that this eliminates the agricultural restriction that existed (lengthy land use change process) when an economic development opportunity arises, and keeps the agricultural classification while allowing different uses.

There being no further public comment, Commissioner Traylor motioned to adopt the following ordinance approving the proposed Comprehensive Plan Evaluation & Appraisal Report (E.A.R.). Commissioner McLemore seconded the motion, and it passed unanimously.

ORDINANCE NO. 2007-15

AN ORDINANCE ADOPTING THE EVALUATION AND APPRAISAL REPORT (EAR) FOR THE GULF COUNTY COMPREHENSIVE PLAN PER THE EAR REQUIREMENTS OF FLORIDA STATUE 163.3191; STATING THE INTENT OF THE BOARD OF COUNTY COMMISSIONERS TO AMEND THE COMPREHENSIVE PLAN BASED UPON THE RECOMMENDATION CONTAINED IN THE REPORT; AND APPROVING TRANSMITTAL OF THE REPORT TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND OTHER

REQUIRED AGENCIES.

WHEREAS, the Florida Legislature intends that local planning be a continuous and ongoing process; and

WHEREAS, the Board of County Commissioners has adopted the Gulf County Comprehensive Plan by Ordinance on April 11, 2006; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to periodically assess the success or failure of the adopted plan to adequately address changing conditions and state policies and rules; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to adopt needed amendments to ensure that the plan provides appropriate policy guidance for growth and development; and

WHEREAS, the Gulf County planning and Development Review Board has reviewed the Evaluation and Appraisal Report, held an advertised public hearing, provided for participation by the public in the process, and rendered its recommendations to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has reviewed the Evaluation and Appraisal Report, held an advertised public hearing, provided for participation by the public in the process; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, GULF COUNTY, FLORIDA:

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Gulf County, Florida, this 23 day of October, 2007.

(End of Ordinance / E.A.R. on file with Clerk)

PUBLIC HEARING - P.D.R.B. RECOMMENDATIONS (10/16/07)

The Board then considered the following recommendation from the October 16, 2007 meeting of the Planning & Development Review Board:

VARIANCE REQUEST/SUBDIVISION REPLAT APPROVAL - OVATION

Pursuant to advertisement to hold a public hearing to consider a request for variance of the development regulations by Ovation (Subdivision Replat * Parcel ID #06370-253R * S36, T8S, R12W), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner McLemore motioned to approve this variance of development regulations for the Subdivision Replat, as recommended by the Planning & Development Review Board. Commissioner Traylor

seconded the motion, and it passed unanimously.

INVOICES - ENGINEERING

Upon recommendation by Grant Writer Costin, Commissioner Barnes motioned to pay Preble-Rish, Inc. invoice #65389, in the amount of \$6,234.00, for services for the Cape San Blas Shared-Use (Bike) Path Grant Project (to be paid from Account #40341-31000). Commissioner Peters seconded the motion, and it passed unanimously.

Upon recommendation by Grant Writer Costin, Commissioner Peters motioned to pay Preble-Rish, Inc. invoice #65390, in the amount of \$28,680.00, for services for the Cape San Blas Shared-Use (Bike) Path, Phase III Grant Project (to be paid from Account #40341-31000). Commissioner Barnes seconded the motion, and it passed unanimously.

CAPE SAN BLAS LIGHTHOUSE RENOVATION - ARCHITECTURAL SERVICES

Upon request by Grant Writer Costin, Commissioner Traylor motioned to execute a contract with MLD Architects for the architectural services for the Cape San Blas Lighthouse Renovation Grant Project. Commissioner Peters seconded the motion, and it passed unanimously.

GRANT OPPORTUNITIES

Upon request by Grant Writer Costin, Commissioner Barnes motioned to apply for a D.C.A. Coastal Partnership Initiative Grant for beach access, if it is determined that the County is eligible. Commissioner Peters seconded the motion, and it passed unanimously.

Upon request by Grant Writer Costin, Commissioner Traylor motioned to apply for a Historic Preservation Grant for the Old Gulf County Courthouse in Wewahitchka (the County applied last year, but was not funded). Commissioner Barnes seconded the motion, and it passed unanimously.

INVOICE - HONEYVILLE COMMUNITY CENTER

Deputy Administrator Lanier presented an unanticipated invoice from Gulf Coast Electric Cooperative, in the amount of \$9,643.87 (to be paid from Account #27172-62000), for installation of the 3-phase primary transformer and installation at Honeyville Community Center/Storm Shelter. Commissioner McLemore motioned to pay this invoice, and Commissioner Traylor seconded the motion. Upon discussion by members of the Board regarding funding for this invoice, Chief Administrator Butler reported that there will be funds available in the \$550,000.00 loan to pay this expense. Commissioner McLemore stated that this expense was unexpected because he was hoping that Gulf Coast Electric Cooperative would connect power to the building at no charge. After further discussion, the motion passed unanimously.

EASEMENT - HONEYVILLE COMMUNITY CENTER

Deputy Administrator Lanier presented an easement for Gulf Coast Electric Cooperative to install the transformer for the Honeyville Community Center/Storm Shelter. Upon motion by Commissioner McLemore, second by Commissioner Peters, and unanimous vote, the Board agreed for the Chairman to execute this easement.

CATASTROPHIC INMATE MEDICAL COVERAGE - COUNTY JAIL

Deputy Administrator Lanier reported that a quote has been received for Catastrophic Inmate Medical Coverage for 2007-08, as follows:

\$10,000.00 Deductible per Inmate	-	\$ 21,013.00
\$15,000.00 Deductible per Inmate	-	\$ 18,064.00
\$20,000.00 Deductible per Inmate	-	\$ 15,483.00

Upon inquiry, Chief Administrator Butler stated that there are no funds in the Corrections budget for this expense, but he feels that it will be cheaper in the long run to have this insurance coverage. County Attorney McFarland stated that last year there was 1 inmate that had medical expenses exceeding \$180,000.00, so the coverage is definitely needed. After further discussion, Commissioner Traylor motioned to purchase the insurance with a \$10,000.00 deductible per inmate, at an annual premium of \$21,013.00. Commissioner McLemore seconded the motion, and it passed unanimously.

INVOICE - POLICIES & PROCEDURES / COUNTY JAIL

Deputy Administrator Lanier presented Invoice #065 from Johnny Wilkerson for development of the Jail Policies & Procedures, in the amount of \$12,000.00 (to be paid from the 2006-07 budget). Upon motion by Commissioner Traylor, second by Commissioner McLemore, and unanimous vote, the Board approved payment of this invoice. Upon inquiry, Chief Administrator Butler reported that Jail Transition Coordinator Durben is expected to retire in September of 2008.

DEPARTMENT OF CORRECTIONS / MEMORANDUM OF AGREEMENT

Deputy Administrator Lanier reported that she has received a Memorandum of Agreement for Victims' Notifications from the Florida Department of Corrections (per Florida Statute), and requested that the Board execute the agreement contingent upon approval by County Attorney McFarland. Upon motion by Commissioner McLemore, second by Commissioner Barnes, and unanimous vote, the Board approved this request.

LEASE - OLD COUNTY COURTHOUSE /NORTH FLORIDA CHILD DEVELOPMENT

Deputy Administrator Lanier discussed that North Florida Child Development agreed to begin paying rent for their space in the Old Gulf County Courthouse. After discussion that this should be retroactive to October 1, 2007, the Board agreed for Deputy Administrator Lanier to find out what Fair Market Value is on the space and prepare a lease to be approved at the next meeting.

HONEYVILLE COMMUNITY CENTER/STORM SHELTER - DIRECT PURCHASES

Deputy Administrator Lanier presented a direct purchase request and Invoice #4125417-01 from Lewis-Smith Supply Corp., in the amount of \$26,475.00, for H.V.A.C. Equipment for Honeyville Community Center. Upon motion by Commissioner McLemore, second by Commissioner Traylor, and unanimous vote, the Board approved payment of this direct purchase invoice.

Deputy Administrator Lanier presented a direct purchase request and Invoice #5625462 from Climate Comfort Products, in the amount of \$10,142.07, for H.V.A.C. Equipment for Honeyville Community Center. Upon motion by Commissioner McLemore, second by Commissioner Traylor, and unanimous vote, the Board approved payment of this direct purchase invoice.

COUNTY WEBSITE UPDATE

Deputy Administrator Lanier reported that they are continuing to update the County's website for the public's convenience, and it now includes meeting notices, agendas, minutes, and bids. Chairman Williams discussed that they are also working on having it set up so the constituents can interactively communicate with the Commissioners through e-mail. Commissioner Peters thanked Deputy Administrator Lanier, Human Resources Director Manuel and Grant Writer Costin for their work on this project.

DERELICT VESSEL

Sheriff Nugent discussed a call from the Florida Fish & Wildlife Commission regarding 2 derelict shrimp boats that have booms hanging out and are a hazard to navigation in Saul's Creek. After discussion, the Board requested that Commissioner Peters check into this matter and report back to the Board.

STREET SIGNS / PRIVATE ROADS

Road Department Superintendent Knee discussed a request he received from the Code Enforcement Officer regarding replacement of street signs, stating that some of the roads are private. He stated that he has replaced private signs in the past on an emergency basis, but he has no additional funds in his budget this year to pay for signs for private roads. After discussion regarding public safety issues, Commissioner McLemore motioned not to pay to replace signs on private roads, and Commissioner Peters seconded the motion. Upon inquiry by County Attorney McFarland, Road Department Superintendent Knee stated that he is not certain whether these signs were stolen or never installed in the beginning. Patricia Hardman appeared to discuss that this is a public safety issue in emergency situations (ambulances, fire trucks, etc.). Upon inquiry, County Attorney McFarland stated that the County has liability on public drives, but not on private drives. Patricia Hardman discussed that the Coastal Community Association can put the word out to individuals living on private roads that if their road sign needs to be replaced, the property owners on that road need to collect \$60.00 per sign for replacement. The

motion then passed unanimously.

ROAD STRIPING

Upon discussion by Commissioner Peters that the road striping in his district was not completed last week due to the rain, G.A.C. Representative Rowell agreed that it will be done by next week.

SLUDGE OVERSIGHT COMMITTEE

Upon inquiry by Commissioner Peters, Elinor Cunningham reported on the status of placement of the monitoring wells at the sludge dumping sites. She stated that a new engineering firm may have to be hired by the owner (there was a tragic accident involving the daughter of the owner of the engineering firm that he was using), and he will give them a report on it at their next committee meeting.

TRAGIC ACCIDENT

Commissioner Traylor stated that Janice Guilford's son was killed in the motorcycle accident with the young lady that Mrs. Cunningham just referred to. He stated that Ms. Guilford works with A.R.P.C., and motioned to sent her a letter of condolence. Commissioner Peters seconded the motion, and it passed unanimously.

HONEYVILLE COMMUNITY CENTER / RENTAL PROCEDURES

Commissioner Peters discussed that the County's liability insurance for the Honeyville Community Center will only cover County events and it does not cover alcohol-related incidents. Upon his inquiry, Grant Writer Costin stated that Human Resources Director Manuel has received additional information regarding this coverage, but she is not here tonight. Commissioner Peters then motioned not to allow alcohol on the premises and to require proof of liability insurance from others who rent the facility, and Commissioner Barnes seconded the motion. Commissioner Traylor stated that this would basically prevent renting the facility. County Attorney McFarland stated that Grant Writer Costin believes that Human Resources Director Manuel has already included this coverage in the operating budget, but she will need to verify it. After further discussion, Commissioner Barnes withdrew his second, and Commissioner Peters withdrew his motion. Commissioner Peters then motioned not to allow alcoholic beverages on the premises, and to post "No Alcohol on Premises" signs to notify the public. Commissioner Barnes seconded the motion, and it passed unanimously. The Board agreed to table the liability coverage until the next meeting.

WEEKEND PARK CLEAN-UP

Upon inquiry by Commissioner Peters, Deputy Administrator Lanier reported that a new bid has been advertised with the modified specifications, and the bids will be opened the first week in November.

COUNTRY CLUB ROAD

Commissioner Barnes discussed paving of Country Club Road, stating that a traffic count was performed by D.O.T. and, in a 24-hour period on a Wednesday, the North end of the Road had 182 vehicles and the South end had 82 vehicles. Michael Hammond, of Preble-Rish, Inc., stated that he is on the Country Club Board and they requested that the road be paved because it was in bad shape. Commissioner Traylor and Commissioner Peters agreed that the road needed to be re-paved.

SACRED HEART HOSPITAL

Upon inquiry by Commissioner Barnes, Chairman Williams stated that he has spoken to Peter Heckathorn regarding the new hospital and the contract has been awarded to Green Hut. He stated that he will attempt to get a progress report on the timeframe.

COUNTRY CLUB ROAD

Chief Administrator Butler reported that he received a call from D.O.T. today, requesting to use Country Club Road as a detour while they replace culverts at Presnell's on S. R. 30A. He stated that they wanted to level the road prior to using it as a detour (in February, 2009) because it could not be used in the condition it was in. He further stated that he informed them it has been re-paved.

WHITE CITY BOAT RAMP BULKHEAD

Chairman Williams discussed the progress on the White City boat ramp bulkhead issue, stating that they may have to use rip-rap in the front area with access points and docks. He stated that Commissioner McLemore will be meeting with the Engineers to look at this project, and reported that if the County is landward of the existing bulkhead, a D.E.P. permit is not needed.

S.H.I.P. PROGRAM / SATISFACTION

Chairman Williams discussed that he received a call from David Gainous regarding property he purchased from his brother that was in foreclosure. He stated that Mr. Gainous is now being held accountable for a S.H.I.P. loan that his brother had on the modular home that has been removed from the property. C.D.C. Director Danny Bolden discussed the issue, stating that a title search was not done on the property and C.D.C. was not notified that either foreclosure was in progress. He stated that it is the Board's decision on how to handle this matter. David Gainous appeared before the Board to discuss that the loan should have been paid when the modular home went through foreclosure, and he does not feel he should be liable for the S.H.I.P. loan, but he wants to work something out so he will have a clear title on the property. County Attorney McFarland stated that the County has a mortgage on the land, and the Board needs to decide how they want to handle it. After

further discussion by members of the Board, Commissioner Traylor motioned to allow David Gainous to pay \$2,000.00 to satisfy the S.H.I.P. mortgage on Billy and Loretta Gainous. Commissioner McLemore seconded the motion, and it passed unanimously.

DEMOLITION - BURNED HOUSE

Chairman Williams discussed the Board's new policy allowing demolition assistance to individuals whose house has burned (they have no insurance, etc.), and requested that the County assist Ola Mae Clark in demolition of her house that burned. Upon motion by Commissioner McLemore, second by Commissioner Traylor, and unanimous vote, the Board approved this request.

ROAD CLOSURE - COBIA AVENUE

Chairman Williams discussed a request from the Highland View Church of God to close Cobia Avenue (between Marlin Street and Pompano Street) for a few hours on October 27, 2007 to hold a yard sale. Commissioner McLemore motioned to approve this request, and Commissioner Barnes seconded the motion. The motion passed 4 to 1, with Commissioner Peters voting no.

DONNIE WAYNE BRAKE PARK - HIGHLAND VIEW

Chairman Williams commended the Park Committee for their work on Donnie Wayne Brake Memorial Park in Highland View. Upon his inquiry, Grant Writer Costin reported that \$10,905.10 of the \$200,000.00 grant has been spent, and she discussed the proposed plans for the park.

AQUIFER - WETAPPO, L.L.C.

Chairman Williams discussed calls he has received regarding the intent of Wetappo, L.L.C. to tap into the aquifer (will be permitted through the Northwest Florida Water Management District). After discussion, Commissioner Traylor motioned to oppose anyone tapping into the aquifer. Commissioner McLemore seconded the motion, and it passed unanimously.

VOTING PRECINCTS

Chairman Williams discussed that many White City and Highland View residents are upset about the changes in voting precincts. Commissioner Traylor stated that this is true for Overstreet, as well. Chairman Williams requested permission to meet with the Supervisor of Elections to discuss this issue (costs, etc.). The Board had no objection.

SHERIFF'S SUBSTATION - ELECTRIC BILL

Chief Administrator Butler presented an invoice from Gulf Cost Electric Cooperative, in the amount of \$476.20, for electricity for the Sheriff's Sub-Station in Wewahitchka. He stated that the Sheriff paid the bill last fiscal year, and is requesting that the Board assume these payments. Sheriff Nugent stated that the funds are not in his budget to pay this expense. Upon inquiry by Chairman Williams, County Attorney McFarland stated that Judicial Corrections Services is now renting a portion of the building, at a rate of \$600.00 per month. Commissioner Traylor requested that the Board table this invoice and allow him to check into this matter, and the Board had no objection. Sheriff Nugent stated that the bill needs to be paid before the power is cut off.

INVOICE - UNEMPLOYMENT COMPENSATION

Chief Administrator Butler presented an invoice from the Florida Department of Revenue, in the amount of \$1,496.00, for Unemployment Compensation on a Supervisor of Elections employee that was laid off due to budget cuts (Ron Bordelon). He discussed that the Unemployment Compensation funds were divided between all affected budgets at a rate of \$115.00 per employee, but should probably be placed in one line item. Upon motion by Commissioner Traylor, second by Commissioner Peters, and unanimous vote, the Board agreed to amend the budget to move all unemployment compensation funds to one line item in the General Fund, and to pay this invoice from the Department of Revenue.

EMERGENCY PERMITS - EROSION CONTROL

Chief Administrator Butler discussed severe erosion at Cape San Blas over the last few days, stating that 2 individuals are requesting emergency permits to install sand bags and seawalls (pursuant to Section 161.085, Florida Statutes). Commissioner McLemore motioned to approve this request, and Commissioner Traylor seconded the motion. Laurel Eiler appeared before the Board to report that she (Parcel I.D. #06268-167R) and her neighbor Patrick Hilton (Parcel I.D. #06268-166R) are the ones needing the emergency permits. The motion then passed unanimously. Chief Administrator Butler discussed with the Board that he has notified those receiving the emergency permits of the protection requirements of the beach dunes system, as well as the design of the sand bags/seawalls, the impact to adjacent properties, preservation of the public beaches area, and protection of the vegetation and nesting turtles. He stated that turtle-nesting season does not end for another week (November 1st), so if they begin before then, Turtle Patrol must agree for them to go onto the beach to do the work.

CORRECTION TO MINUTES / ISO RATING

Upon request by Planner Richardson, Commissioner Traylor motioned to change the minutes of the October 9, 2007 meeting ISO RATING/ FLOOD INSURANCE to ISO RATING / BUILDING INSURANCE. Commissioner Peters seconded the motion, and it passed unanimously.

AWARD BID #0607-40 / HONEYVILLE COMMUNITY CENTER SEPTIC SYSTEM

Michael Hammond, of Preble-Rish, Inc, appeared before the Board to recommend that the Board award Bid #0607-40, for installation of the septic system for Honeyville Community Center/Storm Shelter, to Bailey & Son's Diversified, Inc., in the amount of \$50,250.00 (low bid). Upon motion by Commissioner McLemore, second by Commissioner Peters, and unanimous vote, the Board approved this recommendation. He stated that the assistance from Health Department Administrator Kent and Zach Hodges on the design of the system greatly reduced the cost.

AWARD BID #0708-01 / AMERICUS AVENUE DITCH PIPE INSTALLATION

Michael Hammond, of Preble-Rish, Inc, appeared before the Board to recommend that the Board award Bid #0708-01, for installation of the pipe in Americus Avenue Ditch, to Bailey & Son's Diversified, Inc., in the amount of \$329,269.18. Chairman Williams discussed that this amount is significantly lower than what was projected. Mr. Hammond stated that the bid on the fittings has not yet been received. Upon motion by Commissioner McLemore, second by Commissioner Traylor, and unanimous vote, the Board approved this recommendation and agreed not to issue the Notice to Proceed until the bid for the fittings is awarded.

AWARD BID #0607-40 / HONEYVILLE COMMUNITY CENTER SEPTIC SYSTEM

Upon request by Michael Hammond, of Preble-Rish, Inc., Commissioner McLemore motioned to execute the Notice of Award to Bailey & Son's Diversified, Inc. for the Honeyville Community Center Septic System (the Notice to Proceed will be issued when the permit is received from the Health Department). Commissioner Traylor seconded the motion, and it passed unanimously.

CHANGE ORDER #7 - ROAD BOND PAVING PROJECT (BID #0607-11)

Upon recommendation by Michael Hammond, of Preble-Rish, Inc., Commissioner McLemore motioned to execute Change Order #7 to the Road Bond Paving Project, at an increase of \$357,760.01. Commissioner Peters seconded the motion, and it passed unanimously.

FISCALLY CONSTRAINED COUNTIES

Michael Hammond stated that he spoke with Representative Patronis today, and was told that he was able to save the Fiscally-Constrained County status for Gulf County, and requested that the Board send a letter of appreciation to Representative Patronis. After discussion regarding areas in which helps Gulf County financially, and upon motion by Commissioner Barnes, second by Commissioner Peters, and unanimous vote, the Board agreed for Chief Administrator Butler to send this letter to Representative Patronis.

HOMESTEAD EXEMPTION / BUSINESS EXEMPTION

Michael Hammond discussed the proposed House bill regarding Homestead Exemption

(5% cap on non-homestead properties), stating that the Senate will vote on including this in their bill on Thursday. Chairman Williams discussed sending a letter supporting the 5% cap on non-homestead properties (businesses) and about the Constitutional language regarding Home Rule.

ROAD BOND PAVING PROJECT (BID #0607-11)

Upon inquiry by Commissioner Peters, Michael Hammond reported that he met with G.A.C. Representative Andrew Rowell regarding the problems (humps) on Liberty Street and they have designed to “mill” the bad section of the road to alleviate future problems, at a cost of \$20,263.00.

BEACH EROSION / STRUCTURE

Phil Perkins, of Cape San Blas, appeared before the Board to present photos and discuss a duplex that is now in the water at Cape San Blas. He stated that the building was condemned over 2 years ago, and needs to be removed. Upon inquiry by Chairman Williams, Building Official Collinsworth stated that this building is structurally sound, it was condemned due to the septic system, and since the building is seaward of the Coastal Construction Control Line, it is out of the County's jurisdiction (this is a D.E.P. issue). County Attorney McFarland discussed unsafe buildings versus structurally sound buildings, and the different processes for each. Upon motion by Commissioner Peters, second by Commissioner Traylor, and unanimous vote, the Board agreed to extend Mr. Perkins' speaking time. County Attorney McFarland further discussed that the concrete slab that is exposed is a safety issue, but it is in D.E.P.'s jurisdiction. Mr. Perkins discussed that it is a safety issue, and reported that D.E.P. has cited the owner for the illegal seawall but has not enforced the citation. After discussion by members of the Board regarding submitting a letter to D.E.P., Chief Administrator Butler reported that he spoke to a representative of D.E.P. last night and they agreed to send a warning letter to the new owner. Chief Administrator Butler recommended that the Board send certified letters to the 2 property owners and D.E.P. regarding the safety hazard created by the seawall. Upon motion by Commissioner Peters, second by Commissioner Traylor, and unanimous vote, the Board approved this recommendation. County Attorney McFarland further discussed that owners whose property has been eroded/damaged due to the illegal seawall can file a lawsuit against the owners of this property. Patricia Hardman appeared before the Board to report that there is an exposed septic tank on the beach in this location. Chairman Williams stated that the Board will do what they can to correct these problems.

ADVERTISE FOR BIDS - DONNIE WAYNE BRAKE PARK

Upon request by Grant Writer Costin, Commissioner Traylor motioned to advertise to receive sealed bids for installation of a well at Donnie Wayne Brake Memorial Park in Highland View. Commissioner Peters seconded the motion, and it passed unanimously.

There being no further business and upon motion by Commissioner McLemore, the meeting did then adjourn at 8:13 p.m., E.T.

ATTEST:

**BILL WILLIAMS
CHAIRMAN**

**REBECCA L. NORRIS
CLERK**